

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BOSTON

Kevin Vickers
Petitioner,

v.

United States of America
Respondents.

Criminal Action
#04-10115-RCL.
Honorable Lindsay,
U.S.D.J., D. Mass./Boston.

2007 AUG -8 12:11

FILED IN CLERKS OFFICE
US COURT OF APPEALS
FOR THE FIRST CIRCUIT

Affidavit of Kevin Vickers
via: FRCP Rule 56(f)

1. I am currently housed at USP Canaan P.O. Box 300 Waymart, PA 18472, Federal ID#25204-038, a federal prisoner in the custody of the Federal Bureau of Prisons U.S. Dept. of Justice. I am hoping to shed some light on my situation so as I may receive jail credits I know were not computed.

2. On August 27, 2003, on a unrelated gun possession charge I was being held on \$5,000 cash bail, it was not posted.

3. On April 22, 2004, I received a Federal Indictment along with a Writ of Habeas Corpus Ad Prosequendum (see attached copy) Criminal #04-10115-RCL., in which no bail was issued. I was back to Suffolk County Jail. (Federal Detainer).

4. On August 5, 2005, I pled guilty in U.S. District Court to 84 months.

5. On September 2, 2005, I pled guilty in Superior Court for gun possession, I was sentenced to 3 years & 1 day. 730 days credit to run concurrent with my Federal Time.

6. On September 2, 2005, I was transferred to Middleton jail holding and then on October 5, 2005, airlifted to my current destination here at USP Canaan, supra.

Now from my understanding my time should have started running either at my earliest offense date which was 7-8-03, or when I got arraigned April 22, 2004, I am writing this letter in hopes we can get this error looked over & readjust my time commitment computation to reflect accuracy.

Respectfully Submitted By
Petitioner, Claimant, Affiant:

Kevin Vickers

Pro Per In
Propria
Persona
Proceeding
Sui Juris

Kevin Vickers
25204-038
USP Canaan
P.O. Box 300
Waymart, PA
18472

Signed under
18 U.S.C.
§1623 &
28 U.S.C
§1746.

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WRIT OF HABEAS CORPUS AD PROSEQUENDUM

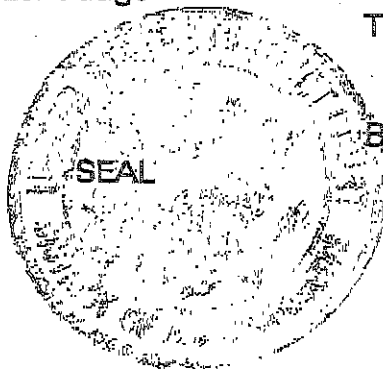
TO THE MARSHAL FOR THE DISTRICT OF MASSACHUSETTS, or any of his
deputies, and to: Superintendent, Suffolk County

YOU ARE COMMANDED to have the body of KEVIN VICKERS now in your custody, before the United States District Court for the District of Massachusetts, 1 Courthouse Way, Boston, MA, Courtroom No. 25, on the 7th floor, on APRIL 22, 2004 at 11:30 A.M. for the purpose of an initial appearance in the case of United States of America v. SPENCER GRAY, ET AL, Criminal Number 04-10115-RCL. And you are to retain the body of said KEVIN VICKERS while before said Court upon said day and upon such other days thereafter as his attendance before said Court shall be necessary, and as soon as may be thereafter to return said KEVIN VICKERS to the institution from which he was taken, under safe and secure conduct, to be there imprisoned as if he had not been brought therefrom for the purpose aforesaid. And have you then and there this Writ with your doings herein.

Dated this 15th Day of APRIL, 2004.

MARIANNE B. BOWLER

Chief United States Magistrate Judge



TONY ANASTAS, CLERK

By: 

Dianalynn Saccoccio
Deputy Clerk

6